

## One-on-One Meeting Summary

Pursuant to Federal Acquisition Regulation (FAR) Part 15.201, a One-on-One meeting was held on November 17, 2004 with the University of California (UC) relating to the future management and operation of the Ernest Orlando Lawrence Berkeley National Laboratory (LBNL). The themes and comments received as a result of the meeting are summarized below. DOE appreciates the efforts of all individuals who participated in the One-on-One meeting. All comments and issues raised during the meeting have been taken under advisement by the Source Evaluation Board (SEB).

- L.8 (d) – Offeror’s Involvement and Commitment. It was suggested that the SEB devise a means for Offerors to describe Offeror’s Commitment outside of the current page limit prescribed in the RFP. A sample format was provided. The SEB has taken this under advisement.
- UC suggested the SEB consider an additional H clause allowing the contractor to conduct contractor-funded institutional supporting research and development at the laboratory. The addition of the clause would preclude the Offeror from having to charge full cost recovery for students. The benefit to DOE would be the development and nurturing of students and future scientists. The SEB agreed to consider this suggestion.
- UC questioned if the RFP was written specifically for the competition of the LBNL contract or as a model RFP to be used for other laboratory competitions. The SEB clarified that the RFP does include some boiler plate terms and conditions that could be used in other acquisitions; however, many terms and conditions, scientific aspects, and evaluation criteria are specific to LBNL.
- I.78 – Contractor’s Organization. UC questioned the appropriateness of the Secretary of Energy to instruct the contractor to remove an employee. The SEB clarified that nothing in the clause would supersede an Offeror’s Bargaining Agreements or Labor Relations Rules in the removal of employees. The SEB acknowledged the concern.
- L.5 – Key Personnel. The SEB clarified that if the proposed organizational structure does not include a key person with direct day-to-day responsibility for the Molecular Foundry project, ES&H, etc. at the first tier, the Offeror is required to propose the specific individual responsible for these functions as key personnel. UC also questioned whether the key person with direct day-to-day responsibility for the Molecular Foundry project was referring to the construction of the Molecular Foundry, or the scientific director. The SEB clarified that it was primarily for construction, but this fact would be clarified.

- L.2 (b) – Relevant Experience, Operations and Business Management. UC requested clarification regarding whether information requested under Operations and Business Management and specific to experience in effective and efficient operation and maintenance of user facilities should be focused upon the operational versus the science aspects. The SEB indicated that this section was concerned about operations, but that natural trade-offs with science could be addressed as a business management consideration. The SEB emphasized that L.2 (b) was entitled “Operations and Business Management”, and that the scientific impacts and/or effectiveness and efficiencies could be addressed in other areas.
- UC suggested that DOE consider making Facilities Capital Cost of Money allowable, or instead of making it totally unallowable, insert a caveat requiring prior approval of the Contracting Officer, which would at least allow the opportunity for an Offeror to propose it. The SEB clarified that as the draft RFP is written, interest in any form is unallowable. However, this will be taken into consideration before the final RFP is issued.
- UC made a point that it is its understanding that DOE is currently evaluating the possibility of performance evaluation “grade” inflation for laboratory M&O contractors. In the event DOE takes action to eliminate “grade inflation”, that action should be taken into consideration in the language for earning Award Term.
- L.3 (b) – Science Strategy for LBNL, Managing the research portfolio and science strategy in a constrained budget. UC asked whether the constrained budget was for DOE funds only or did it also include work-for-others? UC also asked at what level were they to evaluate the constrained budget, i.e., overall, or down to individual budget and reporting codes. The SEB will clarify this paragraph in the final RFP.